



Confirmation No. 5253
Serial Number 10/784,128
Attorney's Docket Number: 03886.0505125 P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR: Tony Marion Pearce
SERIAL NUMBER: 10/784,128
DATE OF FILING: February 20, 2004
DOCKET: 03886.050/5125 P
TITLE: Buckling Foam Cushioning Devices

Mail Stop: MISSING PARTS
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF A NONPROVISIONAL APPLICATION**

Honorable Commissioner:

Enclosed herewith are the missing parts of the above-referenced patent application.

These are:

1. Copy of Notice to File Missing Parts of Nonprovisional Application;

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop: MISSING PARTS, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, on this 15th day of July, 2004.

Signed: _____

Dated: _____

603137.1

2. Declaration and Power of Attorney for Patent Application signed by Inventor;
3. Assignment signed by Inventor and accompanied by Recordation Sheet;
4. Check Number 1480 to cover the filing fee of \$385.00, fee of \$129.00 for three (3) independent claims in excess of three (3); fee of \$153.00 for seventeen (17) claims over twenty (20), fee of \$145.00 for surcharge for multiple dependent claims, late filing fee of \$65.00 for a small entity, and recording fee for the Assignment of \$40.00; totaling \$917.00.

Please charge any additional fees that may be due to Deposit Account No. 50-0581 of the undersigned.

DATED this 15th day of July, 2004.

Respectfully submitted,



Daniel P. McCarthy
Registration Number 36,600
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Telephone: (801) 532-1234
Facsimile: (801) 536-6111

July 15, 2004
Salt Lake City, Utah

IFW



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/784,128	02/20/2004	Tony Marion Pearce	03886.050/5125 P

Parsons Behle & Latimer
 201 South Main Street, Suite 1800
 P. O. Box 45898
 Salt Lake City, UT 84111



CONFIRMATION NO. 5253

FORMALITIES LETTER



OC000000012679828

Date Mailed: 05/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/20/2004 HLE333 00000088 10784128

01 FC:2001	385.00 OP
02 FC:2201	129.00 OP
03 FC:2202	153.00 OP
04 FC:2203	145.00 OP
05 FC:2051	65.00 OP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$854** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1754** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$854**
 - **\$258** for **3** independent claims over 3.
 - **\$306** for **17** total claims over 20.
 - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

 T.TU
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE